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DEC 2: 2 2006

## BLAKELY SOKOLOFF TAYLOR & ZAFMAN

TELEPHONE: (408) 720-8300

INTELLECTUAL PROPERTY LAW FAC 12400 WILSHIRE BOULEVARD, 7<sup>TH</sup> FLOOR LOS ANGELES, CA 90025

## **FACSIMILE COVER SHEET**

Deliver to: Facsimile No.: From: Our Docket No.: Application No.:	Examiner MD S Elahee (571) 273-8300 Judith A. Szepesi, Reg. No 6783P054 10/808,886	No Fili	. of pages incl ing Date: Ma	2614 December 22, 2006 luding this sheet: 15 ay 24, 2004 e(s): 12/26/2006
Amendment: Appeal Brief ( Application:  Assignment & Certificate of I Continued Pro Declaration & Drawings: Extension of T Fee Transmitts	llowing documents:  Response (5 pgs) in triplicate) ( pgs)  pgs w/ cover & abstract  Cover Sheet (3 pgs)  Facsimile secution Application (CPA)  POA ( pgs)  sheets, figures  Time: One (1) Month al (in duplicate)  B/08 ( pgs)		Reply Brief ( Request & Ce 122(b)(2)(B)( Request to Re Request Response to V Terminal Disc	ontinued Examination (RCE) pgs) ontification Under 35 USC i) escind Previous Nonpublication Written Opinion ( pgs) claimer f Publication Fee Due
I hereby certify that the States Patent and Trad	CERTIFICATE OF MAILING is correspondence is being transm lemark Office.	/TRA	NSMISSION (37 by facsimile on t	CFR 1.84) he date shown below to the United

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12/22/2006 Date

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DEC 2 2 2006 Page 1 of 3

	Ef	fective on	12/08/20	FEE TRANSMITTAL FOR 04. Fees pursuant to the Consolidated		H.R. 4818).		
				TOTAL AMOUNT OF PAYME	NT (\$) 120,00	•		
Comple	ete if Kno	own:		<u> </u>				
Applica	tion No.:		10/808,8					
Filing D	ate:			4, 2004		į i		
First Na	med Inve	entor	Eric O. E	Bodnar				
Examin	er's Nam		MD S EI	ahee				
Art Unit			2614					
Attorne	y Docket	No.:	<u>006783.</u>	P054				
		Applica	ant clair	ns small entity status. See 37 C	FR 1.27.			
<u> </u>	_ Check		_ Cred	ck all that apply) it Card Money Orde	er None	Other (please identify)		
<u>_x</u>	_ Depos	it Accou	nt Accou	nt Number : <u>02-2666</u>				
		Donosit	Accou	nt Name: Blakely, Sokoloff,	Taylor & Zafman, LLP			
x	The Di	rector is	Authori	zed to do the following with resp	ect to the above-ident	ified Deposit Account:		
	X	Charge	fee(s)	indicated below.				
İ	X	Charge	any add	tional fee(s) or underpayment of fee	(s) during the pendency o	of this application.		
		Charge	fee(s)	indicated below except for the fil	ling fee			
	<u> </u>	Çredit	any ove	rpayments.				
	<u>X</u>	Апу сог	ncurrent	or future reply that requires a petitio	n for extension of time si	nould be treated as		
		incorpo	rating ar	appropriate petition for extension of	or time and all required re-	es snould be charged.		
		. Al Al	.: <b>6</b>	may become public. Credit card info	rmation should not be in	cluded on this form.		
Provide	g; intomia	ition on u ed inform:	ation and	authorization on PTO-2038.	initiation should have be we			
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FEE C	ALCUL	ATION						
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1. <u>BA</u>	SIC FILI	NG, SE	<u>ARCH.</u>	AND EXAMINATION FEES				
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<u>Large I</u>		Small	Fee		•			
Fee Code	Fee	Fee Code	(\$)	Fee Description		Fees Paid (\$)		
1011	(\$) 300	2011	150	Utility application filing fee				
1111	500	2111	250	Utility search fee	1,000/500	<u> </u>		
1311	200	2311	100	Utility examination fee	•			
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1012	200	2012	100	Design application filing fee				
1112	100	2112	5D	Design search fee	430/215			
1312	130	2312	65	Design examination fee				
1312	150		**					
1013	200	2013	100	Plant filing fee				
1113	300	2113	150	Plant search fee	660/330			
1313	160	2313	80	Plant examination fee		<del></del>		
1004	300	2004	150	Reissue filing fee				
1114	500	2114	250	Reissue search fee	1,400/700			
1314	600	2314	300	Reissue examination fee	•			
1005	200	2005	100	Provisional application filing	fee			
					SUBTOTAL (1	\$ <u>0.00</u>		
1								

Page 2 of 3

2. EXCESS CLAIM FEES
Fee from <u>Extra Claims</u> <u>below</u> <u>Fees Paid (\$)</u>
Total Claims
Large Entity Fee Fee Fee Fee Fee Code (\$) Code (\$) 1202 50 2202 25 Each claim over 20 1201 200 2201 100 Each independent claims, if not paid 1203 360 2203 180 Multiple dependent claims, if not paid 1204 200 2204 100 Relssue: each claim over 20 and more than in the original patent 1205 50 2205 25 Relssue: each independent claim more than in the original patent SUBTOTAL (2) \$
506101ML (2) \$
3. APPLICATION SIZE FEE
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).
Number of each add'l Fee from  Total Sheets Extra Sheets 50 or fraction thereof below Fees paid (\$)
Large Entity Fee Fee Fee Fee Description: Application size fee for each additional group of 50 sheets Code (\$) Code (\$) beyond initial 100 sheets (count spec & drawings except sequences & program listings
1081 250 2081 125 Utility 1082 250 2082 125 DesIgn 1083 250 2083 125 Plant 1084 250 2084 125 Reissue
\$UBTOTAL (3) \$

DEC 2 2 2006 Page 3 of 3

FEE CALCULATION (continued)									
4. <u>c</u>	4. OTHER FEE(S)								
					Fees Paid (\$)				
Non-	English Spe	cification,	\$130 fee	(no small entity discount)					
	<b>Entity</b>	Small Er							
Fee	Fee	Fee	Fee	Eas Description					
Code 1051	(\$) 130	Code 2051	(\$) 65	Fee Description Surcharge - late filing fee or oath					
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet					
1053	130	1053	130	Non-English specification					
1812	2,520	1812	2,520	For filing a request for ex parte reexamination					
1813		1813	8,800	Request for inter parties reexamination					
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action					
1805		1805	1,840*	Requesting publication of SIR after Examiner action Extension for reply within first month	\$120.00				
1251 1252	120 450	2251 2252	60 225	Extension for reply within second month	<u> </u>				
1253	1,020	2253	510	Extension for reply within third month					
1254	1,590	2254	795	Extension for reply within fourth month					
1255		2255	1,080	Extension for reply within fifth month					
1401	500	2401	250	Notice of Appeal					
1402	500	2402	250	Filing a brief in support of an appeal					
1403		2403	500	Request for oral hearing					
1451	1,510	1451	1,510	Petition to institute a public use proceeding Petition to revive – unavoidable					
1452	500 4 500	2452 2453	250 750	Petition to revive - unintentional	-				
1453	1, <del>5</del> 00 1,400	2501	700	Utility issue fee (or reissue)	<del></del>				
1502	800	2502	400	Design issue fee					
1503		2503	550	Plant issue fee					
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)					
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)					
1464		1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)					
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)					
1806		1806	180 40	Submission of Information Disclosure Stmt Recording each patent assignment per					
8021	40	8021	40	property (times number of properties)					
1809	790	2809	395	For filing a submission after final rejection					
,,,,,	750	2000		(see 37 CFR 1.129(a))					
1814	130	2814	65	Statutory Disclaimer					
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))					
1801	790	2801	395	Request for Continued Examination (RCE)					
1802		1802	900	Request for expedited examination of a design					
'				application					
1504		1504	300	Publication fee for early, voluntary, or normal pub.					
1505		1505	300	Publication fee for republication					
1803		1803	130	Request for voluntary publication or republication Processing fee under 37 CFR 1.17(i) (except provisionals	· <del></del>				
1808 1454		1808 1454	130 1,370	Acceptance of unintentionally delayed claim for priority	<i></i>				
	r fee (specif		•						
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Otne	r fee (specif	·y/	<del></del>	SUBTOTAL (4) \$1	20.00				
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Туре	Typed or Printed Name: Judith A. Szepesi								
Sign	ature:	1		Date: December 22, 2006					
Pos	Number:	39 393	_	Telephone Number: 408-720-8	300				
Lea.		20,000		1460 Al					

Send to: Commissioner for Patents, P.O. Box 1450, Alexandrin, VA 22313-1450

DEC 2 2 2006

AMENDMENT TRANSMITTAL PATENT
Application No.: 10/808,886
Filing Date: March 24, 2004
First Named Inventor <u>Eric O. Bodnar</u> Examiner's Name: <u>MD S Elahee</u>
Examiner's Name: MD S Elaheë Art Unit: 2614
Attorney Docket No.: 006783.P054
An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
X Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or
future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
Applicant(s) claim small entity status (37 CFR 1.27).
ATTACHMENTS
Preliminary Amendment
Amendment/Response with respect to Office Action
X Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
Notice of Appeal
Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filling a Notice of Appeal)  Notice of Appeal RCE (Request for Continued Examination) Supplemental Declaration Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record) Information Disclosure Statement (IDS)
Supplemental Declaration
Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
Information Disclosure Statement (IDS)
Contract IDS effections
Copies of IDS citations  Petition for Extension of Time  Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)  Cross-Reference to Related Application(s)  Certified Copy of Priority Document  Other:
X Petition for Extension of Time
X Fee Transmittel Document (that includes a fee calculation based on the type and number of claims)
Cross-Reference to Related Application(s)
Certified Copy of Priority Document
Other:
Ouler.
Check(s)
X Postcard (Return Receipt)
SUBMITTED BY:
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
TYPED OR PRINTED NAME: Judith A. Szepesi
SIGNATURE:.
REG. NO.: 39,393//
DATE: December 22, 2006
ADDRESS: 12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025
TELEPHONE NO.: (408) 720-8300
CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mall with sufficient postage is envelope addressed to the Commissioner for Patents, P.O. Box 1450. Alexandria Virginia 22313-1450
Date of Deposit
Joan I. Abrigm  Name of Person Mailing Correspondence
Manual Marie of Person Mailing Correspondence  December 22, 2006
Signéture Date
Express Mail Label No. (If applicable):

**2**005

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Page 1 of 3

FEE TRANSMITTAL FOR FY 2006  Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).											
TOTAL AMOUNT OF PAYMENT (\$) 120.00											
Complete if Known:											
7.50											
	First Named Inventor Eric O. Bodnar										
Examiner's Name: MD S Elahee											
Art Unit: 2614  Attorney Docket No.: 006783.P054											
Attorney Docket No.: 006783.P054											
Applicant claims small entity status. See 37 CFR 1.27.											
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	_ Check		_ Cred	it Card Money Order	None Ot	her (please identify)					
x	Depos	it Accou	nt								
		Deposit	Accour	nt Number : <u>02-2666</u>							
		Deposit	Accour	nt Name: Blakely, Sokoloff,	faylor & Zafman, LLP						
<u>x</u> _	The Di	rector is	Authoria	zed to do the following with response	ect to the above-identified	Deposit Account:					
	X	Charge	e fee(s) i	ndicated below.							
	_X_	Charge	any addi	tional fee(s) or underpayment of fee(s	s) during the pendency of this	application.					
		Charge	e fee(s) i	ndicated below except for the fill	ng fee						
	<u>x</u>	Credit	any ove	rpayments.							
	<u> </u>	Any cor	ncurrent	or future reply that requires a petition	for extension of time should	be treated as					
		incorpo	rating an	appropriate petition for extension of	time and all required fees sho	ould be charged.					
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Warning	g: Informa	ition on th	nis form r	nay become public. Credit card infor	mation should not be included	g on this form.					
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1. <u>BAS</u>	SIC FILI	NG, SE	ARCH,	AND EXAMINATION FEES							
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Fee	Fee	Fee	Fee								
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1011	300	2011	150	Utility application filing fee							
1111	500	2111	250	Utility search fee	1,000/500						
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Page 2 of 3

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2. <u>EXC</u>	ESS C	LAIM FE	:ES								
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Fee	Fee	Fee	Fee								
Code	(\$)	Code	(\$)	Fee Descrip	<u>otion</u>						
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1201 1203	200 360	2201 2203	100 180		endent claim over 3 pendent claims, if not paid	d					
1203	200	2203	100	Reissue: ea	ich claim over 20 and mor	e than i	n the origin	al p	atent		
1205	50	2205	25	Reissue: ea	ach independent claim mo	re than	in the origi	nal	patent		
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Fee	Fee	Fee	Fee	Fee Descri	iption: Application size fe	e for ea	ach addition	nal g	group of 50 sheets		
Code	(\$)	Code	(\$)	beyond ini	itial 100 sheets (count spec	& drawin	gs except sed	quen	ces & program listings);		
1004	055	2004	425	Utility							
1081 1082	250 250	2081 2082	125 125	Design							
1082	250 250	2083	125	Plant							
1084	250	2084	125	Reissue							
	SUBTOTAL (3) \$										
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## 12/22/2008 17:27 FAX 408 245 6381 BLAKELY SOKOLOFF TAYLOR CENTRAL FAX CENTER

DEC 2 2 2006

Page 3 of 3

FEE CALCULATION (continued)								
4. OTHER FEE(S)								
Non-E	nglish Spe	cification,	\$130 fee (	no small entity discount)				
Large Entity Small Entity								
Fee	Fee	Fee	Fee	Ess Donarintian				
1051	(\$) 130	Code 2051	(\$) 65	Fee Description Surcharge - late filing fee or oath				
1051	50	2052	25	Surcharge - late provisional filing fee or cover sheet				
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1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	\$120.00			
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1451	1,510	1451	1,510	Petition to institute a public use proceeding				
1452	500	2452	250	Petition to revive – unavoidable	<del></del>			
1453	1,500	2453 2501	750 700	Petition to revive - unintentional Utility Issue fee (or reissue)				
1501 1502	1,400 800	2502	400	Design issue fee				
1502	1100	2503	550	Plant issue fee				
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)				
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)				
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)				
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)				
1806	180	1806	180	Submission of Information Disclosure Stmt				
8021	40	8021	40	Recording each patent assignment per property (times number of properties)				
1809	790	2809	395	For filing a submission after final rejection				
				(see 37 CFR 1.129(a))				
1814	130	2814	65	Statutory Disclaimer				
1810	790	2810	395	For each additional Invention to be examined				
				(see 37 CFR 1.129(b))				
1801	790	2801	395 900	Request for Continued Examination (RCE) Request for expedited examination of a design	<del></del>			
1802	900	1802	900	application				
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.				
1505	300	1505	300	Publication fee for republication				
1803	130	1803	130	Request for voluntary publication or republication				
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals	)			
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	<del></del>			
Other	fee (specif	n						
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	or Printe		Judiffs	A. Szepesi				
				Date: December 22, 2006				
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1100		30,300						

Send to: Commissioner for Patents. P.O. Box 1450, Alexandria. VA 22313-1450